

Appl No. 09/943,232
Amdt. dated January 18, 2006
Reply to Office action of November 22, 2005

REMARKS/ARGUMENTS

The applicant would like to acknowledge, with thanks, the Office action mailed on November 22, 2005. This amendment and response are responsive to this office action. The Examiner has acknowledged that claims 1-3, 6-8 and 11-12 are allowed. Claims 13-18 stand rejected. By this amendment, claims 13, 14, 16 and 18 have been amended and claim 17 has been cancelled.

Claim Objections

Claim 16 was objected because the phrase "plurality of carriers" was repeated twice. Accordingly, claim 16 has been amended to remedy this defect.

Rejections under 35 U.S.C. § 112

Claims 14 and 18 were rejected for reciting "the group" with insufficient antecedent basis. Accordingly, claims 14 and 18 were amended to overcome this rejection.

Claim Rejections under 35 U.S.C. § 102

Claims 13-18 stand rejected as being anticipated by U.S. Patent Application Publication No. 2002/0086708 to Teo et al. (hereinafter Teo). Withdrawal of this rejection is requested for reasons that will now be set forth.

Claim 13 as now amended recites an access point with an adaptive antenna array coupled to a first transmit and receive circuitry for communicating with clients associated with the access point on unselected frequencies and an omni-directional antenna coupled to a second transmit and receive circuitry on a selected frequency. The access point is responsive to detecting a new client on the selected frequency via the omni-directional antenna to associate the new client. The access point exchanges data with the clients associated with the access point using the unselected frequencies via the adaptive antenna array (which is similar to cancelled claim 17 which stated the selected frequency is used for associating new clients and the unselected frequencies are used for other data transmissions).

In rejecting claim 17, the examiner recites paragraph 63 of Teo for disclosing the "pilot signal" for "the selected frequency is used for associating new clients" and for disclosing "data traffic" for "the unselected frequencies are used for other data transmissions. Applicant

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respectfully disagrees with this interpretation of Teo. Paragraph 3 of Teo defines pilot signals as carriers within an RF channel are utilized to broadcast pilot information, which is generally referred to as a pilot channel, from a Base Transceiver Station (BTS) to one or more mobile terminals, this pilot channel being used by the mobile terminals for frequency reference, carrier recovery and channel estimates. Furthermore, paragraph 3 of Teo defines data traffic carriers as carriers within an RF channel are utilized to communicate data traffic information, generally referred to as data traffic channels, from the BTS to mobile terminals."

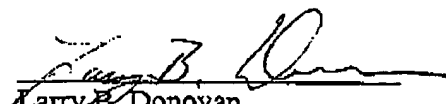
Thus, the pilot signals in Teo are utilized to broadcast information such as frequency reference, carrier recovery and channel estimates to mobile units. By contrast, claim 13 recites the access point is responsive to detecting a new client on the selected frequency via the omni-directional antenna to associate the new client.

Therefore, for the reasons just set for above, Teo does not disclose an access point that is responsive to detecting a new client on a selected frequency via an omni-directional antenna to associate the new client and to exchanges data with the clients associated with the access point using the unselected frequencies via the adaptive antenna array. Claims 14-16 and 18 are directly dependent from claim 13 and therefore contain each and every element of claim 13. Therefore, for the reasons already set forth for claim 13, claims 14-16 and 18 are not anticipated by Theo.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255-05858.

Respectfully submitted,
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